

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JESSE R. ABRAMS,

Plaintiff,

v.

KITSAP TRANSIT, et al.,

Defendant.

CASE NO. 3:22-cv-05765-RSL-BAT

**ORDER DISMISSING CASE**

Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, plaintiff's "Response to Previous Answer," and the remaining record, the Court finds and ORDERS:

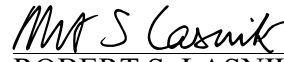
(1) The Court ADOPTS the Report and Recommendation. Plaintiff's self-incrimination claims under the state and federal constitutions fail because plaintiff has not alleged that he was in custody and/or that he asserted the privilege against self-incrimination in a non-custodial setting.

(2) Plaintiff's motion for summary judgment is denied, Dkt. 20.

(3) Defendant's motion to dismiss, Dkt. 22-23 is granted and the case is DISMISSED with prejudice.

1 (4) The Clerk is directed to a copy of this Order to the parties.  
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3 Dated this 30th day of May, 2023.

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5 ROBERT S. LASNIK  
6 United States District Judge  
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